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No. 105

House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. TOM DAVIS of Virginia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.

August 2, 2006.

I hereby appoint the Honorable TOM DAVIS to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, ever present and holding all in balance, take our world today and shake it into common sense. Wring out true values from the indifferent. Calm the anger. End all retaliation. And grant us the gift of peace.

But to receive a gift, one must be ready. Are we not prepared, Lord? Is that the reason for the delay?

Perhaps peace is so fragile we do not know how to handle it, even if You were to offer it to us. Help us, Lord, today and every day, to ready ourselves for that day of good news.

Today, at least we can rehearse for it by receiving any message humbly and graciously.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The Speaker pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3682. An act to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge.

H.R. 5683. An act to preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 707. An act to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 2146. An act to extend relocation expenses test programs for Federal employees.

S. 3711. An act to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

S. Con. Res. 113. Concurrent resolution congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and for other purposes.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution (H. Con. Res. 467) providing for an adjournment or recess of the two Houses.

The Clerk read the concurrent resolution, as follows

H. CON. RES. 467

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on any day from Wednesday, August 2, 2006, through Tuesday, August 8, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Wednesday, September 6, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, August 3, 2006, through Tuesday, August 8, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 5, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO FRIDAY, AUGUST 4, 2006

The SPEAKER pro tempore. Without objection, when the House adjourns

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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today, it shall adjourn to meet at 4 p.m. on Friday, August 4, 2006, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 467, in which case the House shall stand adjourned pursuant to that concurrent resolution.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES
Washington, DC, August 1, 2006.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 1, 2006, at 10:30 a.m.:

That the Senate passed without amendment H.R. 5877.

That the Senate agreed to House amendment S. 3741.

With best wishes, I am,

Sincerely,

JORGE E. SORENSEN,
Deputy Clerk of the House.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 707. An act to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity; to the Committee on Energy and Commerce

S. 2146. An act to extend relocation expenses test programs for Federal employees; to the Committee on Government Reform.

ENROLLED BILLS SIGNED

Ms. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. TOM DAVIS of Virginia:

H.R. 3682. An act to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge.

H.R. 5683. An act to preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States.

H.R. 5877. An act to amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. TOM DAVIS of Virginia, announced his signature to enrolled bills of the Senate of the following titles:

S. 250—An act to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.

S. 3693—An act to make technical corrections to the Violence Against Women and Department of Justice Reauthorization Act of 2005.

S. 3741—An act to provide funding authority to facilitate the evacuation of persons from Lebanon, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to the previous order of the House of today, the House stands adjourned until 4 p.m. on Friday, August 4, 2006, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 467, in which case the House shall stand adjourned pursuant to that concurrent resolution.

There was no objection.

Thereupon, (at 11 o'clock and 8 minutes a.m.), pursuant to the previous order of the House of today, the House adjourned until 4 p.m. on Friday, August 4, 2006, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 467, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9051. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Suspension of Continuing Assessment Rate [Docket No. FV06-948-1 IFR] received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9052. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Nectarines and Peaches Grown in California; Order Amending Marketing Order Nos. 916 and 917 [Docket No. AO-90-A7; FV05-916-1] received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9053. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Updating Administrative Requirements for Voluntary Shell Egg, Poultry, and Rabbit Grading [Docket No. PY-02-003] (RIN: 0581-AC25) received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9054. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Amendment to Egg Research and Promotion Rules and Regulations [Docket No. PY-06-001] received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9055. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Citrus Canker; Quarantine of the State of Florida [Docket No. APHIS-2006-0114] (RIN: 0579-AC07) received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9056. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Transitional Assistance Management Program; Early Eligibility for TRICARE for Certain Reserve Component Members (RIN: 0720-AA90) received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9057. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Personal Commercial Solicitation on DoD Installations (RIN: 0790-AH87) received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9058. A letter from the Comptroller, Department of Defense, transmitting the Department's quarterly report as of June 30, 2006, entitled, "Acceptance of contributions for defense programs, projects and activities; Defense Cooperation Account," pursuant to 10 U.S.C. 2608; to the Committee on Armed Services.

9059. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report on the Developmental Disabilities Programs for Fiscal Years 2003 and 2004, pursuant to 42 U.S.C. 15005 Public Law 106-402, section 105; to the Committee on Energy and Commerce.

9060. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "The Estimated Cost and Proposed Schedule to Complete the Environmental Impact Statement and Record of Decision for the Disposal of Greater-Than-Class C Low-Level Radioactive Waste," pursuant to Public Law 109-58, section 631 (a) and (b)(1)(A); to the Committee on Energy and Commerce.

9061. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "Department of Energy Strategic Research Portfolio Analysis and Coordination Plan," pursuant to Public Law 109-58, section 994; to the Committee on Energy and Commerce.

9062. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "Department of Energy Underground Storage Tank (UST) Compliance Strategy Report," pursuant to Public Law 109-58, section 1528; to the Committee on Energy and Commerce.

9063. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report entitled, "Security Constrained Economic Dispatch: Definition, Practices, Issues and Recommendations," pursuant to Public Law 109-58, section 1298; to the Committee on Energy and Commerce.

9064. A communication from the President of the United States, transmitting certification that the export to the People's Republic of China of the specified items is not detrimental to the United States space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such exports, will not measurably improve the missile or space launch capabilities of the People's Republic of China, pursuant to Public Law 105-261, section 1512; (H. Doc. No. 109-129); to the Committee on International Relations and ordered to be printed.

9065. A letter from the Director, Broadcasting Board of Governors, transmitting the Board's FY 2005 report, pursuant to the requirements of section 203(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Government Reform.

9066. A letter from the Chairman, Christopher Columbus Fellowship Foundation,

transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's Form and Content Reports for the third quarter of FY 2006 as prepared by the U.S. General Services Administration; to the Committee on Government Reform.

9067. A letter from the President, Federal Financing Bank, transmitting the Bank's performance plan for fiscal years 2006-2007 and program performance report for fiscal year 2005, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

9068. A letter from the Deputy Director for Management, Office of Management and Budget, transmitting the Office's report on competitive sourcing activities for FY 2005, in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, Fiscal Year 2004, Pub. L. 108-199; to the Committee on Government Reform.

9069. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 071406C] received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9070. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Allocating Bering Sea and Aleutian Islands King and Tanner Crab Fishery Resources [Docket No. 060330091-6185-02; I.D. 032406D] (RIN: 0648-AU37) received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9071. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 071406B] received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9072. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-01; I.D. 071306C] received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9073. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 071406D] received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9074. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic

Zone Off Alaska; Pacific Cod by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 071306D] received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9075. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Squid in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 071706A] received July 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9076. A letter from the Secretary, Department of Health and Human Services, transmitting a copy of the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2003 through September 30, 2004 as required by section 413(a) of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

9077. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of proposed legislation to implement aspects of the Protocol Additional to the Geneva Convention of 12 August 1949 and relating to the Adoption of an Additional Distinctive Emblem ("Protocol III"); to the Committee on the Judiciary.

9078. A letter from the Regulations Coordinator, CMS, Department of Agriculture, transmitting the Department's final rule — Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and FY 2007 Rates; FY 2007 Occupational Mix Adjustment to Wage Index; Health Care Infrastructure Improvement Program; Selection Criteria of Loan Programs for Qualifying Hospitals Engaged in Cancer-Related Health Care and Forgiveness of Indebtedness; and Exclusion of Vendor Purchases Made Under the Competitive Acquisition Program (CAP) for Outpatient Drugs and Biologicals Under Part B for the Purpose of Calculating the Average Sales Price (ASP) [CMS-1488-F; CMS-1287-F; CMS-1320-F; and CMS-1325-IFC4] (RINS: 0938-AO12; 0938-AO03; jointly to the Committees on Energy and Commerce and Ways and Means.

9079. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2007, Certain Provisions Concerning Competitive Acquisition for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS); Accreditation of DMEPOS Suppliers [CMS-1540-F] (RIN: 0938-AO16) received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

9080. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting the Agency's report entitled, "Report on Trafficking in Post-Conflict and Humanitarian Emergencies," in response to the Trafficking Victim Protection Reauthorization Act of 2005; jointly to the Committees on International Relations and Armed Services.

9081. A letter from the Regulations Coordinator, CMS, Department of Agriculture,

transmitting the Department's final rule — Medicare Program; Physicians' Referrals to Health Care Entities with Which They Have Financial Relationships; Exceptions with Certain Electronic Prescribing and Electronic Health Records Arrangements [CMS-1303-F] (RIN: 0938-AN69) received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

9082. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities — Update — Notice [CMS-1530-N] (RIN: 0938-AM46) received July 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

9083. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare and State Health Care Programs: Fraud and Abuse; Safe Harbors for Certain Electronic Prescribing and Electronic Health Records Arrangements Under the Anti-Kickback Statute (RIN: 0991-AB39) received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

9084. A letter from the Under Secretary of Commerce for Oceans and Atmosphere, National Oceanographic Partnership Program, transmitting an annual report from the National Oceanographic Partnership Program (NOPP) for 2006, pursuant to Public Law 104-201; jointly to the Committees on Armed Services, Resources, and Science.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Omitted from the Record of July 28, 2006]

H.R. 5393. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than September 29, 2006.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KING of New York:

H.R. 6027. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM DAVIS of Virginia:

H. Con. Res. 467. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

MEMORIALS

Under clause 3 of rule XII,

434. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 65 memorializing the Congress of the United States to approve an amendment to the Constitution of the United States that would define marriage as the union between one man and one woman; to the Committee on the Judiciary.

ADDITIONAL SPONSORS TO PUBLIC
BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1376: Mr. BROWN of Ohio.
H.R. 1558: Mr. SMITH of Washington.
H.R. 3352: Mr. SMITH of New Jersey.
H.R. 4452: Mr. WATT.
H.R. 5139: Mr. REYES.
H.R. 5444: Mr. BARROW.

H.R. 5878: Ms. JACKSON-LEE of Texas.

H.R. 5902: Mrs. CAPPS.

H.R. 5918: Ms. MCCOLLUM of Minnesota.

H. Res. 903: Mr. GREEN of Wisconsin and Mr. PEARCE.

H. Res. 945: Mr. GRIJALVA.

H. Res. 977: Mr. POMEROY, Mr. BACA, and Ms. CORRINE BROWN of Florida.